

**Foster Care Services –
Chafee Independent Living
Policies and Procedures**

Service Chapter 624-10

**North Dakota Department of Human Services
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(Revised 1/15/2011 ML #3257)

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Independent living is an ongoing process that results with youth having the resources and skills to live successfully as an adult, thus “independent” of the various systems. Youth do not “attend” independent living, nor do they “complete” it. Independent living is also not a “permanency goal”.

It is the mission of the Chafee Foster Care Independence Program to ensure that youth involved in the foster care system receive services and support which will enable them to successfully transition to living independently.

**Chafee Foster Care Independence Program (CFCIP)
624-10-01-10**

(Revised 1/15/2011 ML #3257)

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The Independent Living Initiative was authorized in 1986 under Title IV-E of the Social Security Act. In 1999, the Foster Care Independence Act of 1999 was passed, replacing the earlier initiative, and expanded on the services and supports available to foster youth. In 2001, Congress amended the "Promoting Safe and Stable Families Act; Title 2, Section 201 of this Act established the Educational and Training Voucher (ETV) Program. The ETV component offers former foster youth the opportunity to further their education.

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State Chafee Independent Living Program, a.k.a. State Chafee Foster Care Independence Program 624-10-01-15

(Revised 10/15/2013 ML #3389)

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The Department of Human Services (NDDHS), Children and Family Services Division, will administer the Chafee Grant and oversee the Chafee Independent Living Programs state-wide.

Chafee Independent Living Administrator 624-10-01-20
(Revised 10/15/2013 ML #3389)

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Employee of the NDDHS, Children and Family Services Division. The Chafee Independent Living Administrator is responsible for managing the Chafee Foster Care Independence Program grant and for overseeing the Regional Chafee Independent Living Programs.

**Regional Chafee Independent Living Programs, a.k.a.
Chafee Foster Care Independence Programs
624-10-01-25**

(Revised 10/15/2013 ML #3389)

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The Chafee Independent Living Program is located within each of the eight regions throughout the state. The program is state-supervised and administered by a county and/or private provider agency. Regional Chafee Independent Living Programs are responsible for providing programming to all eligible foster care youth within the region, regardless of the county the youth resides in.

The Chafee IL Coordinator from the region in which the custodian is located, is responsible for providing programming to eligible youth, regardless of the location of the youth's placement. However, if a transfer from one region to another would be in the best interest of the youth, a Chafee case transfer between regions may occur. This is to be determined by the Chafee IL Coordinators.

**Chafee Independent Living Coordinators a.k.a. Chafee IL
Coordinators 624-10-01-30**

(Revised 10/15/2013 ML #3389)

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Chafee IL Coordinators are employees of a contracted provider agency, and are responsible for implementation of the Chafee Independent Program within an assigned region.

Foster Care 624-10-01-35

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For the purposes of this policy, the definition of “foster care” is as follows: 24 hour substitute care for children placed away from their parents or guardians and for whom the public agency (County, DJS, Tribe) has custody or placement and care responsibility. (Definition taken from “Making Sense of the ASFA Regulations, American Bar Association, p220).

This includes, but is not limited to placement in:

1. Family foster care homes
2. Relative or kinship foster care homes
3. Residential Child Care Facilities (RCCF)
4. Psychiatric Residential Treatment Facilities (PRTF)
5. Emergency shelters
6. Pre-adoptive homes

Detention facilities, such as the Youth Correctional Center, and any other facility operated primarily for the detention of youth who have been determined delinquent are not considered a foster care placement. Thus, these youth are not eligible for Chafee IL programming while in the stated corrections placement.

"Aging Out of Foster Care" Definition 624-10-01-40
(Revised 1/15/2011 ML #3257)

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For the purpose of this manual, "Aging out of Foster Care" is defined as: A youth discharged from foster care at the age of 18 or older.

**Trial Home Visits in Relation to "Aging Out of Foster Care"
624-10-01-40-05**

(Revised 10/15/2013 ML #3389)

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A youth will meet the definition of "Aging Out of Foster Care," if he/she is discharged from an approved foster care placement at the age of 17 ½ to 18 years of age, placed on "Trial Home Visit" status, and all of the following are present:

1. The public agency (County/DJS/Tribe) retains custody until the age of 18.
2. The youth is open within the foster care system on their 18th birthday.
3. There is a current court order at the time the youth turns 18 years of age.
4. Child and Family Team Meetings are occurring as required, with the latest being held within the three months prior to the 18th birthday.
5. There is a current case plan when the youth turns 18 with the "Trial Home Visit" clearly documented.

Flexible Funds 624-10-01-45

(9/15/06 ML 3048)

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Flex Funds are payments made, or tangible resources given, directly to the eligible youth, or made to a vendor on behalf of the eligible youth. Flex Funds fall into two categories: "General" or "Room and Board". Eligibility requirements vary for the two categories.

Education and Training Voucher (ETV) 624-10-01-50
(Revised 10/15/2013 ML #3389)

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The Education and Training Voucher provides financial resources specific to meet the education and training needs of youth who meet Foster Care Alumni eligibility.

Kinship Guardianship 624-10-01-55
(Revised 1/15/2011 ML #3257)

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The federal kinship guardianship definition follows the "relative" placement definition, "a person related by blood, marriage or adoption, or a godparent, or family friend with whom the child has a close relationship." (www.fosteringconnections.org)

**Another Planned Permanent Living Arrangement a.k.a.
APPLA 624-10-01-60**

(Revised 1/15/2011 ML #3257)

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Another Planned Permanent Living Arrangement (APPLA) is a permanency alternative permitted under ASFA that allows a young person to have a "permanent home" that is not his home of origin, adoption, guardianship, or kinship care. This generally is not considered as legally or emotionally secure as the three principle permanency options. (ND State Policy 624-05-15-115-30)

Authority References 624-10-05

(Revised 1/15/2011 ML #3257)

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1. Foster Care Independence Act of 1999
2. Promoting Safe and Stable Families Act; Title 2, Section 201
3. "Making Sense of the ASFA Regulations," American Bar Association
4. "Frequently Asked Questions III," The National Foster Care Coalition
5. Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections)

Purposes of the Chafee Foster Care Independence Program 624-10-10

(Revised 1/15/2011 ML #3257)

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Youth aging out of foster care are in unique and an often difficult position. Some youth have been in foster care for a number of years. Upon discharge from foster care they find themselves alone, without the previous supports provided by the child welfare system. They are expected to live on their own, go to school, hold down a job, pay bills, find medical care, and attend to all of their basic needs. This is difficult for most as it is a time when young people who have not been in foster care are still under the protective care of their parents. Far too many youth discharged from foster care find themselves without adequate supports and permanent connections; facing homelessness, unemployment, single parenthood, mental health/addiction issues, and legal difficulties. The foster care system's commitment to foster youth cannot end when they are discharged from foster care. The overall purpose of the Chafee Foster Care Independence Program is to improve the lives of youth aging out of foster care.

It is the mission of the Chafee Foster Care Independence Program to ensure that youth involved in the foster care system receive services and support which will enable them to successfully transition to live independently.

**The Seven Purposes of the Chafee Foster Care
Independence Program 624-10-10-05**

(Revised 10/15/2013 ML #3389)

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1. To identify youth who are likely to remain in foster care until 18 years of age and to help these youth make the transition to self-sufficiency by providing services such as assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention);
2. To help youth who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment;
3. To help youth who are likely to remain in foster care until 18 years of age prepare for and enter post secondary training and educational institutions;
4. To provide personal and emotional support to youth aging out of foster care, through mentors and the promotion of interactions with dedicated adults;
5. To provide financial, housing, counseling, employment, education and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood; and responsibility for preparing for and then making the transition from adolescence to adulthood;
6. To make available vouchers for education and training, including post-secondary training and education, to youths who have aged out of foster care; and
7. To provide the services referred to in this subsection to youth who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption.

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To make available vouchers for education and training, including post-secondary training and education, to youths who have aged out of foster care.

**Chafee Foster Care Independence Program Outcomes
624-10-15**

(Revised 1/15/2011 ML #3257)

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The goal of ND Foster Care is that every youth who lived in foster care as a teenager will meet the seven established Chafee outcomes by age 21.

The Seven Outcomes of the Chafee Foster Care Independence Program 624-10-15-05

(Revised 1/15/2011 ML #3257)

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1. All youth leaving the foster care system shall have **sufficient economic resources to meet their daily needs.**
2. All youth leaving the foster care system shall have a **safe and stable place to live.**
3. All youth leaving the foster care system shall attain **academic or vocational/educational goals** that are in keeping with the youth's abilities and interests.
4. All youth leaving the foster care system shall have a **sense of connectedness** to persons and community.
5. All youth leaving the foster care system shall **avoid illegal/high risk behaviors.**
6. All youth leaving the foster care system shall **postpone parenthood** until financially established and emotionally mature.
7. All youth leaving the foster care system shall have **access to physical and mental health services.**

The Wraparound Philosophy 624-10-20 **(Revised 1/15/2011 ML #3257)**

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Children and Family Services has adopted the **Wraparound Process** as the philosophical base for the overall Foster Care service delivery system, including the Chafee Independent Living Program. The following is an outline of the values, principles and beliefs of the Wraparound Process related to independent living:

- Unconditional commitment to working with families/youth is provided.
- Families/youth are full and active partners in the process.
- Services are culturally responsive.
- This is a team driven process.
- Services focus on strengths and competencies of families/youth, not on deficiencies and problems.
- Service plans are outcome based.
- Services and plans are individualized to meet the needs of the families/youth.
- Resources and supports, both in and out of the family are utilized for solutions.
- People are the greatest resource to one another.

**Components of the ND Chafee Foster Care Independence
Program 624-10-25**

(Revised 1/15/2011 ML #3257)

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There are three Components to the Chafee Foster Care Independence Program.

1. Current Foster Care Youth Component
2. Foster Care Alumni Component
3. Education and Training Voucher (ETV) Program Component

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Current Foster Care Youth Component 624-10-25-05 (9/15/06 ML 3048)

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This component consists of those youth who are currently in foster care.

**Current Foster Care Youth (Priority I) 624-10-25-05-05
(Revised 10/15/2013 ML #3389)**

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It is a requirement per ND Foster Care Policy 624-05 that custodians refer all youth who meet the following criteria to a regional Chafee Independent Living Program.

It is a requirement that the Chafee Independent Living Program provides programming to youth meeting the following criteria:

The youth:

1. Is currently in foster care, and
2. Is age 16 or older, and
3. Has been identified as “likely to age out of foster care”, and
4. Is agreeable to receive programming and will be an active Chafee participant.

The Chafee IL Coordinator and the custodian will work collaboratively to ensure that these youth are offered participation in the Chafee Independent Living Program. However, it is the custodian’s responsibility to initiate the referral.

Youth who refuse services or refuse to be active participants will not be provided Chafee Independent Living programming.

**Current Foster Care Youth (Priority II) 624-10-25-05-10
(Revised 1/15/2011 ML #3257)**

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Current foster youth, age 14 or older, and **not** identified as “likely to age out of foster care” will be considered for participation in the Chafee Independent Living Program as a "priority two" youth. These requests will be considered based on the youth's individualized needs and program availability.

**Chafee Independent Living Referrals 624-10-25-05-11
(Revised 4/1/15 ML #3437)**

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The custodian from a public agency (County, DJS, or Tribe) will refer eligible current foster care youth to the regional Chafee Independent Living Program.

Chafee Referral Procedure:

Custodian will:

- Communicate with the youth about his/her willingness to participate in the voluntary Chafee Independent Living Program.
- Complete the required Chafee IL referral paperwork.
 - Current Foster Care Youth Referral (SFN 1613)
 - Release of Information, and
 - Any other forms required by the Chafee IL provider
- Scan/Email, Fax, or Mail required forms to the regional Chafee IL Coordinator.
- If youth is an active Chafee participant; Custodian will
 - Invite the Chafee IL Coordinator to quarterly Child & Family Team Meetings; and
 - Provide updated and ongoing information to the Chafee IL Coordinator regarding the youth (mailing address/placement change, current foster care case plan, etc).

Chafee IL Coordinator will:

- Review referral paperwork.
- Determine program eligibility.
- Contact the case manager to notify of youth eligibility.

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- If the youth is eligible and interested; the Chafee IL Coordinator will schedule an appointment to meet with the youth to complete an assessment and review or create independent living goals.

Chafee Independent Living Denial 624-10-25-05-12
(Revised 10/15/2013 ML #3389)

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Custodians are required by Policy 624-05 to refer all youth age sixteen or greater to Chafee IL, however there are times availability to serve the youth due to priority status or program space is limited. Chafee IL Coordinators are required to send a formal letter to custodians for the youth case file along with helpful resources to use in assessing and addressing the independent living needs for those who cannot be served in the Chafee IL program at that time.

Youth Refusals 624-10-25-05-13

(Revised 10/15/2013 ML #3389)

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Chafee Independent Living is federally funded with federal policy stating Chafee funds cannot be provided without the full involvement of the youth. Foster youth cannot be forced to participate in Chafee services. Court orders may indicate “independent living”, but this is not inclusive to the Chafee IL Program.

If a current foster care youth refuses Chafee IL, services should be re-offered at least every six months while the youth is in foster care. A youth is more likely to accept a referral to Chafee if it is relevant to his or her life at the time. Chafee IL Coordinators must communicate with the foster care case manager about a youth refusing services and provide the case manager independent living resources to help meet independent living needs.

Foster Care Alumni Component 624-10-25-10

(Revised 1/15/2011 ML #3257)

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This component consists of youth who have been discharged from foster care.

Foster Care Alumni (Priority I) 624-10-25-10-05
(Revised 10/15/2013 ML #3389)

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It is a requirement that the Chafee Independent Living Program provides programming to youth meeting the following criteria:

The youth:

1. "Aged out of foster care" at the age 18 or older, or
2. Exited foster care because he/she was adopted or entered kinship guardianship after the age of 16, and
3. Has not reached the age of 21, and
4. Is agreeable to receive programming and will be an active Chafee participant.

Youth who refuse services or refuse to be active participants will not be provided Chafee Independent Living programming.

Foster Care Alumni (Priority II) 624-10-25-10-10
(Revised 1/15/2011 ML #3257)

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Youth who were in foster care at the age of 16 or older, however did not age out of foster care, will be considered for participation in the Chafee Independent Living Programs as a "priority two" youth. These requests will be considered based on the youth's individualized needs and program availability.

Chafee Independent Living Referrals for Foster Care Alumni 624-10-25-10-11

(Revised 4/1/15 ML #3437)

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Custodians are required to inform foster care youth, who are aging out of care, of services available to them through the Chafee Independent Living Program upon discharge.

Chafee IL Coordinators are required to provide services to eligible youth who have been discharged from foster care and who agree to be active participants in the program until age 21.

Paperwork:

Custodians Responsibility: If a youth is over the age of 16, Custodians are required to complete the foster care verification form (SFN 1612) upon discharge. This form may assist youth with entry into the ND Chafee IL program, apply for FAFSA, receive scholarships, and if they “aged out” it could provide proof for Medical Assistance until age 26.

Youth Responsibility: Youth discharged from foster care and interested in participating in the Chafee IL program are required to complete the Foster Care Alumni Referral (SFN 1614). If age eligible, youth will also need to sign a release of information. Lastly, youth will need a copy of the SFN 1612 (verification of their time in care) completed by their custodian.

**Education and Training Voucher (ETV) Component
624-10-25-15**

(Revised 10/15/2013 ML #3389)

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The Chafee Education and Training Voucher (ETV) program provides resources specific to meeting the education and training needs of Foster Care Alumni.

The ETV Program was established by Congress as part of reauthorization of the Promoting Safe and Stable Families Act, known as the “Promoting Safe and Stable Families Amendments of 2001” (P.L 107-133). Title 2, Section 201 of the Act amended the Foster Care Independence Act by adding ETVs as the sixth purpose of the Chafee Foster Care Independence Program.

ETV Eligibility 624-10-25-15-05

(Revised 10/15/2013 ML #3389)

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The youth meeting the following criteria will be considered for an Education and Training Voucher Award.

1. **Youth who “aged out of foster care”**, were discharged on or after their 18th birthday, **or continue in 18+ Continued Care** past their 18th birthday, and who have not reached their 21st birthday at the time of application.
2. Youth who were adopted or entered kinship guardianship from foster care after age 16, but have not reached their 21st birthday.
3. Youth participating in the ETV Program on their 21st birthday can remain eligible until they turn age 23, as long as they are enrolled and making satisfactory progress toward completing their post-secondary education or training program.
4. Youth who are United States Citizens or qualified non-citizens.
5. Youth who are, or will be enrolled into a program at an accredited or preaccredited college, university, technical or vocational school.
6. Youth who agree to be an active participant in the Chafee Independent Living Program while they are receiving ETV funding.
7. ETV award preference will be given to youth who were in foster care for twelve months or greater.

**Miscellaneous Information Pertaining to the ETV
Component 624-10-25-15-10**

**Military Duty 624-10-25-15-10-05
(Revised 1/15/2011 ML #3257)**

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National Guard Soldiers who are attending an Institution of Higher Education program funded by an ETV when they are called to active duty will be eligible for an award upon their return, regardless of their age at return, providing they re-enroll at an accredited Institution of Higher Education within 3 months of their return. The maximum “age” requirement will be extended by the amount of time they were on active duty.

**Attendance at an Institution of Higher Education
624-10-25-15-10-10**

(Revised 1/15/2011 ML #3257)

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Recipients of the ETV must attend an Institution of Higher Education as defined in section 102 of the Higher Education Act of 1965. All schools that meet this definition have been assigned a Title IV federal school code number.

Institution of Higher Education:

- Awards a Bachelors Degree or is not less than a two year program awarding an Associate's Degree, or
- Provides not less than a one year of training towards gainful employment, or
- Is a vocational program that provides training for gainful employment and has been in existence for at least two years.

Such an Institution must meet all three criteria listed below:

- Admits students with high school diploma or equivalent; or persons who are beyond the age of compulsory school attendance.
- Is a public, private, or non-profit institution.
- Is accredited or pre-accredited and is authorized to operate in that state.

Cost of Attendance 624-10-25-15-10-15

(Revised 10/15/2013 ML #3389)

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The cost of attendance is calculated by the Institution of Higher Education in establishing a youth's financial need and can vary depending on the student's full-time or part-time status, and where the student is receiving instruction. In general, the definition includes a student's:

- Tuition, fees, and other equipment or materials required of all students in the same course of study.
- Books, supplies and an allowance for transportation costs and miscellaneous personal expenses, including computers
- Room and board (which may vary depending on whether the student lives at home, in student-housing or an apartment)
- Child care expenses for a student who is a parent
- Accommodations related to the student's disability, such as a personal assistant or specialized equipment that is not paid for by another source
- Expenses related to the youth's work experience in a cooperative education program
- Student loan fees or insurance premiums on the student loan.

The Institution of Higher Education calculates a general "cost of attendance" for all students, and they have some flexibility in determining costs of attendance for individual students. For those ETV applicants who have additional expenses that were not included in the school's calculation of the "cost of attendance", it is in their best interest to work with the school to have this figure raised to reflect their actual needs. The Chafee IL Coordinator can assist the student in working with the school as needed.

NDDHS requires documentation and verification of costs from the Institution of Higher Education to support the ETV applicant's "Cost of Attendance." NDDHS will not issue an ETV award without this documentation included in the ETV application packet ([SFN 255](#) + [SFN 252](#)).

ETV Lifetime Maximum 624-10-25-15-10-20

(Revised 1/15/2011 ML #3257)

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The lifetime maximum ETV award amount for an individual is \$20,000.

Satisfactory Academic Progress 624-10-25-15-10-25
(Revised 1/15/2011 ML #3257)

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An eligible student may continue to receive ETV funds as long as they are in good standing and making progress towards completing their program or graduation. This means earning no less than a 2.0 GPA two semesters in a row or passing marks in a technical/vocational program.

Probationary Status 624-10-25-15-10-25-05
(Revised 10/15/2013 ML #3389)

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A student who is receiving ETV funding will be placed on probationary status if their GPA is less than a 2.0 at the end of the semester. The student will have one semester to raise their GPA to a 2.0 or higher to remain eligible for ETV funding for subsequent semesters.

Credit Hour Standards 624-10-25-15-10-30

(9/15/06 ML 3048)

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There is no minimum required number of credit hours needed to receive ETV Funds.

Out-of-State Youth 624-10-25-15-10-35

(Revised 10/15/2013 ML #3389)

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The state in which a Foster Care Alumni resides is responsible for providing an eligible youth with the Education Training Voucher. This provision, however, does not apply to a Foster Care Alumni who already is receiving a voucher and moves to another State for the sole purpose of attending and Institution of Higher Education. In that instance, the youth's original State of residence will continue to provide a voucher to the youth for as long as the youth remains eligible for the program.

**ETV Recipient's Eligibility for Chafee Flex Funds
624-10-25-15-10-40**

(Revised 10/15/2013 ML #3389)

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Chafee Flex Funds may not be used to supplement the \$5,000 per academic year ceiling for a youth in the ETV Program for "cost of attendance" expenses. Appropriations law precludes this. However, if the Chafee IL Coordinator determines that the youth has expenses that are not related to the cost of attendance, therefore not allowable under the ETV, it is an option to supplement ETV funding with Flex Funds if the youth is under the age of 21.

**Use of ETV Funds to Obtain a GED 624-10-25-15-10-45
(Revised 1/15/2011 ML #3257)**

[View Archives](#)

This is prohibited.

**Use of ETV Funds to Pay Back Previous Student Loans
624-10-25-15-10-50**

(9/15/06 ML 3048)

[View Archives](#)

This is prohibited.

Maximum Age Requirements 624-10-25-15-10-55
(Revised 10/15/2013 ML #3389)

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Foster Care Alumni must have participated in the ETV Program prior to their 21st birthday to continue receiving ETV funds until the age of 23. There is no flexibility for funding youth who are over age 21 and who were not receiving the ETV on their 21st birthday. Students are not eligible for the ETV after their 23rd birthday.

ETV Award Maximum Per Year 624-10-25-15-10-60
(Revised 1/15/2011 ML #3257)

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The total amount of educational aid, (including the ETV, Loans, Scholarships, and Grants) may not exceed the cost of attendance.

The maximum ETV allowable per academic year shall not exceed the lesser of \$5,000 or the total cost of attendance, as defined in section 472 of the Higher Education Act of 1965. Academic year is defined as the fall, spring, and summer semesters (in that order) each year.

ETV Application Process 624-10-25-15-15
(Revised 10/15/2013 ML #3389)

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All youth pursuing ETV Funding must currently be involved in, or agree to be involved in, the Foster Care Alumni Component of the Chafee Independent Living Program.

The Chafee IL Coordinator will assist interested participants with applying for an ETV. Applications are available on-line as [SFN 252](#) and [SFN 255](#). The completed application is forwarded to the NDDHS: Children and Family Services Chafee Independent Living Administrator for award determination.

The ETV Application Deadlines Include:

Fall Semester = August 15th

Spring Semester - December 15th

Summer Semester = May 15th

Award Determination 624-10-25-15-20

(Revised 10/15/2013 ML #3389)

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Award determinations are made by the NDDHS: Children and Family Services Chafee Independent Living Administrator and are based on the following:

1. Participant Eligibility
2. ETV Funding Availability
3. Completion and submission of the ETV Application packet in a timely manner

Not all youth who meet the eligibility criteria will receive an ETV award. Likewise, not all youth who receive an ETV will receive the \$5,000 per year maximum.

Under Federal law, States are required to take appropriate steps to prevent duplication of benefits under the ETV and other Federal and Federally supported programs.

The Department cannot change the Cost of Attendance figure, nor can the Department award more than the following formula allows:

ETV Cost Calculation:

**Cost of Attendance - Other Federal Funded Grants and Scholarships
= the ETV Award.**

Award Disbursement 624-10-25-15-25

(Revised 10/15/2013 ML #3389)

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The NDDHS will issue the monetary award directly to the Institution of Higher Education. Youth participants will not receive direct payment from NDDHS.

**Chafee Independent Living Programming for Current
Foster Care Youth 624-10-30**

**Chafee Independent Living Referrals - REPEALED -
624-10-30-05**

(Repealed 10/15/2013 ML #3389)

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Chafee Independent Living Plans 624-10-30-10
(Revised 10/15/2013 ML #3389)

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Youth participants should assist in the development of their independent living plan. There is not a requirement that a Chafee Independent Living Plan be developed by the Chafee IL Coordinator in addition to the youth's established foster care case plan. The independent living plan should be developed collaboratively by the custodian, youth, and Chafee IL Coordinator to identify independent living goals and tasks. The plan should be attached to and/or incorporated into the youth's foster care case plan; discussed and updated ongoing until discharge.

A copy of the youth's foster care case plan identifying independent living goals and tasks must be filed in the Chafee Independent Living program file if a Chafee Independent Living Plan is not created separately.

Assessing Independent Living Needs 624-10-30-15
(Revised 10/15/2013 ML #3389)

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It is required that all foster care youth, age 16 and older, have their independent living strengths and needs assessed. Custodians are responsible to assess independent living and transition needs of youth in care; Chafee Independent Living programming is one way to assist Custodians.

**Assessing Foster Care Youth, Participating in the Chafee
Independent Living Program 624-10-30-15-05**

(Revised 10/15/2013 ML #3389)

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If the youth is an active participant in the Chafee Independent Living Program, the Chafee IL Coordinator will administer an authorized independent living assessment tool annually or more often as needed.

The IL Coordinator will attend the Child and Family Team meeting. The youth's independent living assessment will be discussed and incorporated into the foster care case plan as applicable.

**Assessing Foster Care Youth, Age 16-18, Not Participating
in the Chafee Independent Living Program
624-10-30-15-10**

(Revised 10/15/2013 ML #3389)

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All foster care youth, age 16 and older, are required to have their independent living strengths and needs assessed. If the youth is not an active participant in the Chafee Independent Living Program, the custodian must assess the youth's independent living needs.

Custodians have the option to choose the assessment tool which will best determine the youth's needs. If custodians are unaware of available independent living assessments they may contact a Chafee IL Coordinator or the NDDHS Chafee IL Administrator for reference. Independent living needs must be incorporated into the youth's foster care case plan in order to meet federal requirements.

Addressing Independent Living Needs 624-10-30-20
(Revised 10/15/2013 ML #3389)

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All foster care youth, age 16 and older, are required to have their needs relating to independent living addressed. Custodians are responsible to address independent living and transition needs of youth in foster care; Chafee Independent Living programming is one way to assist Custodians.

Addressing Independent Living Needs of Foster Care Youth, Participating in the Chafee Independent Living Program 624-10-30-20-05

(Revised 10/15/2013 ML #3389)

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Based on the results of the provided assessment(s), the youth, Chafee IL Coordinator and the Child and Family Team will identify goals and incorporate them into the youth's foster care case plan.

Addressing Independent Living Needs of Foster Care Youth, Not Participating in the Chafee Independent Living Program 624-10-30-20-10

(Revised 10/15/2013 ML #3389)

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Based on the results of the provided assessment(s), the youth, custodian, and the Child and Family Team will identify goals and incorporate them into the youth's foster care case plan.

Independent Living Related Goals 624-10-30-25

Goals for Foster Care Youth Participating in the Chafee Independent Living Program 624-10-30-25-05

(Revised 10/15/2013 ML #3389)

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Goals are individualized according to the youth's strengths and needs. Goals focus on the seven Chafee outcomes as identified in 624-10-10-15-05. Goals are discussed at the quarterly Child and Family Team meetings and are incorporated into the established foster care case plan. The Chafee IL Coordinator, in conjunction with the Child and Family Team, will collaboratively assist the youth with meeting stated goals.

Goals for Foster Youth Not Participating in the Chafee Independent Living Program 624-10-30-25-10

(Revised 10/15/2013 ML #3389)

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Goals are individualized according to the youth's strengths and needs. Goals focus on the seven Chafee outcomes as identified by in 624-10-10-15-05. Goals are discussed at the quarterly Child and Family Team meetings and are incorporated into the established foster care case plan. The Child and Family Team will collaboratively assist the youth with meeting stated goals. The Chafee IL Coordinator will be available for consultation, as needed.

REPEALED

Independent Living Related Tasks 624-10-30-30

**Task Responsibility for Youth Participating in a Regional
Independent Living Program 624-10-30-30-05**

(Repealed 1/15/2011 ML #3257)

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REPEALED

**Task Assignment for Youth Not Participating in a Regional
Independent Living Program 624-10-30-30-10**

(Repealed 1/15/2011 ML #3257)

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**Chafee Independent Living Programming for Foster Care
Alumni 624-10-35**

**Chafee Independent Living Referrals for Foster Care
Alumni - REPEALED - 624-10-35-05**

(Repealed 10/15/2013 ML #3389)

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Chafee Independent Living Programming for Foster Care Alumni 624-10-35

Chafee Independent Living Plans for Foster Care Alumni 624-10-35-10

(Revised 10/15/2013 ML #3389)

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Chafee IL Coordinators should continue to use the Wraparound Process whenever possible after a youth has been discharged from foster care and continues to participate in the Chafee Independent Living Program.

When a youth is discharged from foster care and no longer has an established case plan, the creation and development of an individualized Chafee Independent Living Plan is required and must be filed in the youth's Chafee IL program file.

**Assessing Independent Living Needs of Foster Care
Alumni 624-10-35-15**

(Revised 10/15/2013 ML #3389)

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All Foster Care Alumni entering the Chafee Independent Living Program will have their independent living needs assessed by using the ND CFCFIP Assessment or other determined assessment tools.

The Chafee IL Coordinator will help the youth develop a Chafee Independent Living Plan based on the results of the assessment.

**Addressing Independent Living Needs of Foster Care
Alumni 624-10-35-20**

(Revised 1/15/2011 ML #3257)

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All eligible Foster Care Alumni participating in the Chafee Independent Living Program are required to have their needs relating to independent living addressed.

Based on the results of the provided assessment, the youth will receive assistance from the Chafee IL Coordinator to identify goals and incorporate them into the Chafee Independent Living Plan.

**Independent Living Related Goals for Foster Care Alumni
624-10-35-25**

(Revised 1/15/2011 ML #3257)

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Goals are individualized according to the youth's strengths and needs. Goals focus on the seven Chafee outcomes as identified in 624-10-10-15-05. Goals are incorporated into the youth's Chafee Independent Living Plan. The Chafee IL Coordinator, in conjunction with the team (if applicable) will collaboratively assist the youth with meeting stated goals.

REPEALED

**Independent Living Related Tasks for Former Foster
Youth 624-10-35-30**

(Repealed 1/15/2011 ML #3257)

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Chafee Age Maximum 624-10-37
(Revised 10/15/2013 ML #3389)

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Chafee Independent Living program funds cannot be used to provide services or flex funding to youth beyond the age of 21, with the exception of applicable ETV program youth.

Chafee Flexible Funding 624-10-40

(Revised 10/15/2013 ML #3389)

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Flex funds are payments made, or tangible resources given, directly to the eligible youth, or made on behalf of the eligible youth. Flex funds fall into two categories:

1. General Flex Funding
2. Room and Board Flex Funding

General Flex Funds 624-10-40-05

(Revised 10/15/2013 ML #3389)

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General Flex Funds may be used to provide reasonable incentives to youth to encourage program participation or goal achievement. These funds may also be used to pay for goods or services on behalf of a youth participant. These funds can be applied to a variety of non-housing related expenses that are barriers to a youth's transition. Appropriate use of these funds will improve his or her likelihood for achieving self-sufficiency.

**General Flex Funds Eligibility Requirements
624-10-40-05-05**

(Revised 10/15/2013 ML #3389)

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To be considered for General Flex Funds a youth must:

1. Be between the ages of 16 and 21, and
2. Be a current foster care youth, or have been in foster care at the age of 16 or older, and
3. Be participating in a Chafee IL Program, and
4. Have an established care plan or Chafee IL Plan.

Accessing General Flex Funds 624-10-40-05-10

**For Current Foster Care Youth 624-10-40-05-10-05
(Revised 10/15/2013 ML #3389)**

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The Chafee IL Coordinator will document the need and approved flex funding amount on the Chafee Flex Funding Request Form (CF-5). Members of the Child and Family Team may be consulted to discuss significant funding requests.

Foster Care – Chafee Independent Living

Division 20
Program 610

Service 624
Chapter 10

For Foster Care Alumni 624-10-40-05-10-10

(Revised 10/15/2013 ML #3389)

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The Chafee IL Coordinator will document the need and approved flex funding amount on the Chafee Flex Funding Request Form (CF-5).

General Flex Fund Determination 624-10-40-05-15
(Revised 10/15/2013 ML #3389)

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The Chafee IL Coordinator will make the final determination regarding the flex funding request. The determination will be based on need and availability of funding. If necessary, the NDDHS Chafee Independent Living Administrator can be consulted to assist with determining appropriate use of flex funds.

Foster Care – Chafee Independent Living

Division 20
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General Flex Fund Cap 624-10-40-05-20 (Revised 10/15/2013 ML #3389)

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\$250.00 per youth per federal fiscal year (October 1 - September 30).

Eligible youth are not “entitled” to flex funds. Due to the limited amount of funds available, most youth will not receive the full amount. Requests will be prioritized by youth needs.

Room and Board Flex Funds 624-10-40-10

(Revised 10/15/2013 ML #3389)

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Room and Board Flex Funds are used to assist youth with rent, deposits, utilities, or room and board household start up purchases. Funding is intended to help youth get moved into a permanent home, not to prolong unnecessary dependency, nor to pay for continued residential treatment.

**Room and Board Flex Funds Eligibility Requirements
624-10-40-10-05**

(Revised 1/15/2011 ML #3257)

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To be considered for Room and Board Flex Funds a youth must:

1. Be between the ages of 18 and 21, and
2. Have “aged out of foster care”, and
3. Be participating in the Chafee IL Program, and
4. Have a Chafee Independent Living Plan.

Accessing Room and Board Flex Funds 624-10-40-10-10

For Eligible Foster Care Alumni 624-10-40-10-10-05

(Revised 10/15/2013 ML #3389)

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The Chafee IL Coordinator will document the need and approved flex funding amount on the Chafee Flex Funding Request Form (CF-5).

**Room and Board Flex Fund Determination
624-10-40-10-15**

(Revised 10/15/2013 ML #3389)

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The Chafee IL Coordinator will make the final determination regarding the flex funding request. The determination will be based on need and availability of funding. If necessary, the NDDHS Chafee Independent Living Administrator can be consulted to assist with determining appropriate use of flex funds.

Foster Care – Chafee Independent Living

Division 20
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Chapter 10

Room and Board Flex Fund Cap 624-10-40-10-20 (Revised 1/15/2011 ML #3257)

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\$1,000 per youth per lifetime.

Eligible youth are not “entitled” to flex funds. Due to the limited amount of funding available, most youth will not receive these amounts. Requests will be prioritized by youth need.

Flexible Funding Guidelines 624-10-40-15
(Revised 10/15/2013 ML #3389)

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Regional Chafee Independent Living Programs will be provided with a flex fund budget. This will be the total amount of funds available to the Region for the fiscal year, and there will be no additional funds available from the Department. These funds are to be made available to eligible youth, who are actively participating in services with the Chafee IL Coordinator throughout the region, not solely the county where the program is located.

The Chafee IL Coordinators are responsible for tracking these expenditures to assure that they do not pay out more funds to youth than can be reimbursed. These funds are to be used in their entirety as a flexible funding source to assist youth with meeting the goals on their established case plan/Chafee IL Plan. The contracted Chafee IL Provider will have the flexibility to develop their own procedures regarding the disbursement of funds to youth.

The following state and federal requirements must be followed by agencies providing Chafee services:

- Chafee IL Coordinators must complete the Chafee Funding Request Form (CF-5) documenting youth eligibility and the funding justification.
- Youth receiving funding must be active participants in the Chafee IL Program and have an established foster care case plan or Chafee IL Plan.
- Funding will be utilized to meet the transition goals specific to the youth's needs.
- The Chafee Independent Living Program is not to be used as strictly a "funding source". The funding is limited, and existing community resources and other funding sources should be exhausted prior to utilizing Chafee funds.
- Flex funds can only be dispersed to youth meeting eligibility criteria.

Foster Care – Chafee Independent Living

Division 20
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- Provider agencies are responsible for documenting and keeping receipts of all program and youth flex fund expenditures.
- Provider agencies must record individual youth expenditures; clearly indicating which expenditures are designated General Flex and which are Room and Board Flex Funds.
- Funding expenditures will be viewed annually during the Provider Agency Quality Assurance Review and will be reported to the NDDHS in the year-end report.
- 100% of flex funds must be used as direct financial assistance and/or incentives to youth. Any remaining funds will be returned to the Department each year.
- Agencies will not be reimbursed for flex fund expenditures over and above the annual amount awarded to the agency.
- Provider Agencies must submit the total monthly flex fund expenditures on the **Independent Living Monthly Claim Form**, to the Department on a monthly basis.
- County provider agencies will be reimbursed by submitting **SFN 119** to the Department on a monthly basis.
- Contracted private provider agencies will be reimbursed by submitting **SFN 1763** to the Department on a monthly basis.

Flex Fund Expenditures Not Allowed 624-10-40-20
(Revised 10/15/2013 ML #3389)

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Flexible Funds are provided in order to help eligible youth successfully transition from foster care to self-sufficiency. Any expenditure that does not meet the above principle for the use of Chafee funds is not allowed.

Chafee funds may not be used to take the place of (supplant) Federal or state funds that are otherwise available for the same purposes. Federally funded day care, subsidized housing, foster care administration and training, adoption assistance, TANF, Child Protective Services, etc. are federally funded programs that may also assist Chafee eligible youth.

Additionally, Chafee funds may not be used to match other Federal Funds. Extreme caution should be exercised when using Chafee funds to assure that supplantation does not occur. If a worker is considering using Chafee funds for an expense that would have been paid from other sources; were these funds not available? Supplantation should be ruled out prior to proceeding and efforts to avoid supplantation should be documented on the Chafee Funding Request Form (CF-5).

**Independent Living Programming in Relation to
Permanency 624-10-45**

(Revised 10/15/2013 ML #3389)

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A decision to provide independent living services to a youth does not absolve the state from continuing to make reasonable efforts toward permanency for the youth. Independent living is not a permanency goal, and is not an alternative to adoption for youth who are eligible. The Act specifies that enrollment in independent living programs should occur concurrently with continued efforts to locate and achieve permanency.

Focus on Permanent Connections 624-10-45-05

(Revised 1/15/2011 ML #3257)

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All youth in foster care have some emotional attachments to others in order to have survived. They have created their own “families.” These “families” may consist of friends, parents of friends, current and/or former foster parents, teachers, coaches, cottage parents, maintenance staff, relatives, older siblings or friends who are now adults, neighbors, church members, Guardians ad Litem, social workers, employers, counselors, etc. We need to ask these youth about these connections and to help them strengthen these relationships. There are often more than a dozen people currently in each youth’s life that could be approached about offering a permanent home to the youth. Asking youth to invite persons of their own choosing to participate in their Child Family Team meetings helps us know who some of these people are.

Recommendations:

1. Seeking a mentor program and match youth with a volunteer who has similar interests;
2. Research interests of relatives, neighbors, and friends who were once involved with the youth. but have since lost contact;
3. Contact older siblings;
4. Help youth develop Eco-maps identifying their support systems; and
5. Involve youth in volunteer activities that allow for them to engage with adult volunteers/role models.

Even if these activities or efforts do not result in adoptive placements for foster care youth, they will help youth develop friendships and supports that they will need and want as adults.

Chafee Eligibility for Out-of-State Youth 624-10-50
(Revised 10/15/2013 ML #3389)

[View Archives](#)

If a youth in foster care, who meets eligibility for the Chafee Independent Living Program, is placed in another state, the state of origin must fund the identified services for that youth. The sending state is also responsible for foster care maintenance payments and case planning, which includes a written description of the programs and services that will be provided to help youth age 16 or older prepare for the transition from foster care to independence. States can request courtesy case management from an out of state Chafee IL provider, but the request will not always be accepted due to the voluntary nature of the program structure. If not accepted, the Custodian is responsible to ensure that the foster youth's independent living needs are assessed and addressed regardless of placement location. The North Dakota Chafee program is not the best option for youth placed out of state, as the Chafee IL Coordinator cannot meet with the youth regularly to achieve set goals and tasks.

Chafee Eligibility for Youth in Kinship/Relative Foster Care Placements 624-10-55

(Revised 10/15/2013 ML #3389)

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Foster care youth under the custody of a public agency (County, DJS, Tribe) and placed in Kinship or Relative foster care placements, are eligible for consideration in the Chafee Independent Living Program. A kinship or relative placement is considered an approved North Dakota foster care placement regardless of if the home is receiving state reimbursement or payment for the youth's stay.

Flex funding and the ETV: youth in kinship or relative foster care placements are eligible for General Flex Funds. However youth must meet the definition of “aging out of foster care” to receive Room and Board funds or the ETV.

Chafee IL Coordinator’s will verify eligibility and youth priority status according to policy, funding guidelines, youth’s individualized needs, and availability.

Chafee Eligibility for Youth Who Enter Guardianship 624-10-60

(Revised 10/15/2013 ML #3389)

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Youth, over the age of 16, who enter Guardianship post discharge from foster care, are eligible for consideration in the Chafee Independent Living Program as a Foster Care Alumni Priority 2.

Flex funding and ETV: youth who enter Guardianship are eligible for General Flex Funds. However youth are not eligible for Room and Board Flex Funds or the ETV as they did not "age out of foster care."

Chafee IL Coordinator's will verify youth eligibility and priority status according to policy, funding guidelines, youth's individualized needs, and availability.

Chafee Eligibility for Youth Who Were Adopted or Enter a Kinship Guardianship 624-10-65

(Revised 10/15/2013 ML #3389)

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Youth, over the age of 16, who were adopted from foster care or entered a kinship guardianship are eligible for consideration in the Chafee Independent Living Program as a Foster Care Alumni Priority 1; providing they meet all criteria excluding “aging out of foster care” criteria.

Flex funding and the ET: youth who were adopted or entered kinship guardianship over the age of 16 are eligible for General Flex Funds and the ETV. However, youth are not eligible for Room and Board Flex Funds.

Chafee IL Coordinator’s will identify youth eligibility and priority status according to funding guidelines, youth’s individualized needs, and service availability.

Chafee Eligibility for Incarcerated Youth 624-10-70
(Revised 1/15/2011 ML #3257)

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Youth who are incarcerated are not eligible for the Chafee Independent Living Program services or funds. If the incarcerated youth was previously in foster care and is in need of transitional services, after their incarceration period they are eligible for consideration in the Current Foster Care Youth and/or Foster Care Alumni Components of Chafee.

For the purposes of flex funding and the ETV; youth who are no longer incarcerated and meet Chafee requirements are eligible for consideration for General Flex Funds. Youth must meet the definition of “aging out of foster care” to be eligible for Room and Board Flex Funds and the ETV.

Chafee IL Coordinator’s will identify youth eligibility and priority status according to funding guidelines, youth’s individualized needs, and service availability.

Chafee Eligibility for Undocumented Immigrant Youth 624-10-75

(Revised 10/15/2013 ML #3389)

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If youth are in the custody of the state child welfare public agency (County, DJS, Tribe), whether or not they are citizens or legal residents of the U.S., they are eligible for all needed child welfare services, including Chafee Independent Living services/funding.

Service providers, caseworkers, and advocates should keep in mind that the process for acquiring legal status is lengthy, and that young people who reach the age of 18 without legal status are at very high risk of detention and /or deportation by immigration authorities.

Unaccompanied minors who enter foster care may be categorically eligible for citizenship under special provisions for juveniles (Special Juvenile Immigrant Status). The child welfare agency is responsible for pursuing this status on behalf of youth in care and for costs incurred in the legal process of pursuing citizenship.

**Chafee Eligibility for Youth with Disabilities 624-10-80
(9/15/06 ML 3048)**

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All provisions of the Foster Care Independence Act of 1999 are equally applicable to young people with disabilities.

Chafee Eligibility for Native American Youth 624-10-85
(Revised 10/15/2013 ML #3389)

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Chafee Independent Living services and funding are made available to Native American youth on the same basis as all eligible foster care youth.

Roles and Responsibilities 624-10-90

Roles and Responsibilities of ND Department of Human Services 624-10-90-05

(Revised 1/15/2011 ML #3257)

[View Archives](#)

- Administer the Chafee Grant, including Grant Applications, Overall Budget, and Procurement
- Oversee Regional Chafee Independent Living Programs.
- Oversee the Development of the State Plan and Policy.
- Assist Provider Agencies with developing an annual budget for the Regional Chafee Independent Living Program.
- Create and administer Regional Chafee budgets, contracts, and Memorandum of Agreements as required.
- Advocate for the expansion of services at the state level.
- Coordinate quarterly Chafee IL Coordinators meetings/training.
- Monitor Chafee IL Program outcomes.
- Monitor Regional Chafee IL Programs for compliance with state & federal requirements.
- Complete the annual IV-B Federal Report.
- Represent North Dakota at national and regional Chafee meetings and conferences.
- Determine and approve Education and Training Voucher awards.
- Facilitate ND Youth Leadership Board meetings quarterly.
- Review and approve Provider Agencies monthly claim forms.
- Provide reimbursement to Provider Agencies.
- Assist Provider Agencies with filling vacant Chafee IL Coordinator positions as needed.

Roles and Responsibilities of Chafee Independent Living Coordinators 624-10-90-10

(Revised 10/15/2013 ML #3389)

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- Adhere to State and Federal Chafee Guidelines.
- Consult with the NDDHS Chafee Independent Living Administrator as needed.
- Develop and conduct an effective regional Chafee IL Program.
- Assist custodians identify youth who are age 16 and older and are likely to remain in care until the age of 18.
- Develop a working relationship with youth, their caregivers, custodians, informal supports and social workers, using a positive youth development and wraparound approach.
- Partner with all public child welfare agencies (County, DJS, Tribe) within the assigned region to include all eligible youth.
- Partner with the broader community to provide a supportive learning environment for youth, which may include engaging community partners in mentoring, job placement, providing tangible supports to the Chafee IL Program, sponsoring youth, educating youth about subjects such as banking, credit, car purchases, comparison shopping, and other life skill areas.
- Participate in quarterly Child and Family Team Meetings.
- Administer independent living assessments with active participants
- Assist youth participants and custodian in developing and individualized independent living plan.
- Enter all Chafee Independent Living participant required data into the FRAME system.
- Respond to data requests from the NDDHS Chafee Independent Living Administrator in a timely manner.
- Provide required reports to the Independent Living Administrator in a timely manner.
- Participate in required Chafee trainings and quarterly meetings;
- Assist eligible youth with the ETV process.
- Facilitate ongoing youth groups.
- Assist your Provider Agency with developing an annual budget for the regional Chafee Independent Living Program.

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- Verify eligibility for Chafee Flex Funds.
- Assure that Chafee expenditures are allowable.
- Assure that supplantation of funds does not occur.
- Provide documentation of funding and flex fund expenditures to your Provider Agency's fiscal office on a monthly basis.
- Prepare documentation for the annual onsite review/financial audit.
- Gather input from current/former foster care youth for program design and implementation.
- Advocate for current/former foster care youth and encourage youth to be self-advocates and leaders.
- Assist with inviting youth participants to the Children & Family Service Review (CFSR) full reviews.

Roles and Responsibilities of the Chafee Provider Agency 624-10-90-15

(Revised 10/15/2013 ML #3389)

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- Administer programming in accordance with NDDHS Chafee Independent Living Policy 624-10.
- Adhere to Chafee State and Federal Guidelines.
- Issue prompt payment in response to approved flexible funding requests made by the Regional Chafee IL Coordinator/s.
- Submit the monthly claim form to the Independent Living Administrator by the 5th day of the subsequent month.
- Submit the completed SFN 119 form (as applicable for county agencies) to Fiscal Administration by the 10th day of the subsequent month.
- Submit the completed SFN 1763 form (as applicable for private provider agencies) to Fiscal Administration by the 10th day of the subsequent month.
- Keep required documentation for all Chafee expenditures, including flex fund expenditures.
- Provide supervision to the Regional Chafee Independent Living Coordinator/s.
- Work collaboratively with the NDDHS to provide regional program supervision.
- Obtain approval from the NDDHS Chafee Independent Living Administrator prior to making program changes.
- Provide a written request to the NDDHS Chafee Independent Living Administrator pertaining to any proposed budget line item changes as needed.
- Fill vacant regional Chafee Independent Living Coordinator positions in a timely manner.
- Ensure that the regional Chafee Independent Living Coordinators meet required qualifications.

**Roles and Responsibilities of Foster Parents
624-05-90-20**

(Revised 10/15/2013 ML #3389)

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- Collaborate with the Chafee IL Coordinator and Custodian regarding the youth's needs and goals pertaining to Independent Living.
- Participate in quarterly Child and Family Team Meetings.
- Implement agreed upon tasks as identified in the established foster care case plan.
- Provide youth with tools, resources, and hands-on learning experiences relating to Independent Living.

**Roles and Responsibilities of Residential Facilities
624-10-90-25**

(Revised 10/15/2013 ML #3389)

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- Implement agreed upon tasks as identified in the established foster care case plan.
- Collaborate with the Chafee IL Coordinator and Custodian regarding the youth's needs and goals pertaining to Independent Living.
- Participate in quarterly Child and Family Team Meetings.
- Implement programming to meet the youth's identified independent living needs as applicable.

Roles and Responsibilities of Custodians 624-10-90-30 (Revised 10/15/2013 ML #3389)

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Regarding youth age 16 and older, identified as likely to remain in care until their 18th birthday:

- Identify and refer current foster care youth, age 16 and older, who have been identified as likely to remain in foster care until the age of 18 to the Chafee IL Coordinator.
- Extend invitations to the Chafee IL Coordinators to attend the Foster Care Child and Family Team Meetings for all youth participating in the Chafee Independent Living Program.
- Incorporate the identified strengths, needs and goals relating to independent living into the foster care case plan.
- Encourage the Foster Care Child and Family Team members to assist in completing identified independent living tasks.
- Encourage the youth to participate in the Chafee IL as a Foster Care Alumni following their discharge from care until age 21.
- Encourage the youth to participate in the Chafee IL "Education and Training voucher component" following their discharge from care.
- Inform youth that it is an option to remain in or return to foster care within six months of their recent discharge in the 18+ Continued Program.

Regarding youth age 16 and older, identified as not likely to remain in care until their 18th birthday:

- Utilize the Foster Care Child and Family Team to assess the youth's strengths and needs pertaining to independent living.
- Determine, with the assistance of the Foster Care Child and Family Team, and the Chafee IL Coordinator, if the youth's particular situation warrants a referral to the Regional Chafee Independent Living Program.
- Incorporate the youth's strengths and needs into the tasks and goals pertaining to independent living into the foster care case plan.
- Encourage the Foster Care Child and Family Team members to implement assigned independent living tasks.

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- Collaborate with and complete referrals to community partners as needed to address the youth's independent living needs.
- Consult with the Chafee IL Coordinator as needed.

**Roles and Responsibilities of Community Partners
624-10-90-35**

(Revised 10/15/2013 ML #3389)

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- Collaborate with the Chafee IL Coordinator and Custodian regarding the youth's needs, strengths, and goals pertaining to independent living.
- Participate in quarterly Child and Family team Meetings as requested.
- Implement agreed upon tasks as identified in the foster care case plan.

Youth Leadership 624-10-95

ND Youth Leadership Board 624-10-95-05

(Revised 10/15/2013 ML #3389)

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The NDDHS Chafee Independent Living Administrator will facilitate the organization of quarterly ND Youth Leadership Board meetings and monthly conference calls.

Applicants for Youth Leadership Board membership are required in the Children and Family Services office by May 15th each year.

ND Youth Leadership Board members assisted in creating the ND Youth Web Site. Viewable at <http://www.nd.gov/ndyouth>

Youth Groups 624-10-95-10
(Revised 10/15/2013 ML #3389)

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Chafee IL Coordinators will implement and facilitate ongoing Chafee IL youth groups throughout the year. Information regarding the ND Youth Leadership Board projects will be discussed as a means of education and awareness.

**Quality Assurance/Data Collection Measures 624-10-100
(Revised 10/15/2013 ML #3389)**

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The NDDHS Chafee Independent Living Administrator will conduct an onsite annual quality assurance review at each regional office to ensure compliance with state and federal requirements. Each year expectations and information is provided to the regional offices for preparation of the Chafee Independent Living review.

Chafee IL Coordinators will follow all required assessment and data collection procedures and provide necessary information to the State Independent Living Administrator in a timely manner.

Chafee Independent Living Program participant data is required for entry by the Chafee IL Coordinators into the ND FRAME System ongoing.

Health Care Directives 624-10-105**(Revised 10/15/2013 ML #3389)**[View Archives](#)

The Patient Protection and Affordable Care Act (P.L. 111-148) was signed by the President on March 23, 2010. The law amended three sections of Titles IV-B and IV-E to ensure that youth receiving independent living services, education and training vouchers and those aging out of foster care have been provided information about the importance of a health care directive. Beginning October 1, 2010, North Dakota is required to provide education to foster care youth about the importance of designating another individual to make health care treatment decisions on their behalf if he/she becomes unable to make such decisions and if he/she does not have or does not want, a relative who would otherwise be authorized under State law to make such decisions.

Effective October 1, 2010 foster care case managers must include the health care directive education as part of the youth's transition plan. Chafee Independent Living Coordinators assisting with independent living and the ETV application must ensure that youth receive education on the health care directive as well.

Health Care Directive

Educational tools provided by the Department to meet requirements:

- Health Care Directive Brochure
- Health Care Directive Form can be downloaded from www.nd.gov/dhs/info/docs/hcdirective.pdf
- Foster Care Discharge Checklist – Add "Health Care Directive" as a discussion item under health topics.

Human Trafficking 624-10-107

(New 2/24/17 ML #3494)

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Chafee IL Coordinators must identify, report, determine services for, and document the case activity involving any active Chafee IL Foster Care Alumni participant who has been or is suspected to have been a victim of human trafficking.

Human Trafficking is defined in NDCC 12.1-41 as, “the commission of an offense created by sections 12.1-41-02 through 12.1-41-06; which include trafficking an individual, forced labor, sexual servitude, patronizing a victim of sexual servitude, and patronizing a minor for commercial sexual activity.

ND State law recognizes “human trafficking” as including many elements of exploitation. PL 113-183 (Preventing Sex Trafficking and Strengthening Families Act) specifies the identification of sex trafficking victims. Any minor under the age of 18 engaged in a commercial sex act is a victim of sex trafficking. Child sex trafficking is not limited to prostitution, but can include stripping, pornography, live-sex shows, or the exchange of sex acts for necessities such as food, shelter, and/or clothing. Under U.S. federal law, a victim of sex trafficking is a person who is recruited, harbored, transported, provided for, or obtained for the purpose of a commercial sex act. A victim of severe sex trafficking is one who is induced by force, fraud, or coercion, or is under the age of 18 to perform a commercial sex act (Trafficking Victims Protection Act of 2000 (TVPA)).

Identifying Victims of Human Trafficking

Children and youth who are at the greatest risk of human trafficking may have one or more common risk factors that should be taken into consideration, including, but not limited to:

- Children and youth for whom family connections are limited or severed;
- Children and youth in foster care, group homes, and juvenile justice custody;

- Children and youth with a history of physical or sexual abuse or neglect;
- Runaway status;
- LGBTQ status;
- Children and youth with prior involvement with law enforcement; and
- Children and youth who have dropped out of high school.

Indicators of Human Trafficking

Sub-Culture

- Items purchased by traffickers, such as clothing, jewelry, gifts, etc.
- Cell phone usage.
- Gang signals.
- Specific language and terminology.
- Information about locations which children used as housing.
- Names and nicknames of people with whom the child is familiar.
- Tattoos which are sometimes used to establish control or ownership; particularly tattoos around the neck and wrist.

Living Conditions

- The child works where they live.
- The child's personal freedom of movement is restricted.
- The child's address has changed frequently.
- The child cannot identify their home address.
- The child possesses hotel keys.
- The child has frequently run away from home.
- The child lives with other unrelated youths and unrelated adults.
- The child receives gifts or clothing from unrelated youths or adults.
- The child returns to an unsafe living situation despite intervention.

School Experiences

- The child has significant, unexplained, gaps in school attendance.
- The child displays severe exhaustion during the school day.
- The child does not participate or show interest in school activities.
- The child is not enrolled in school.

Adults in the Child's Life

- The child has much older boyfriends or girlfriends, "friends".

- The child does not live with their parent(s) or know the whereabouts of their parent(s).
- The child receives money from unrelated adults.

Medical/Physical Condition

- The child has been treated frequently for symptoms of physical abuse.
- The child lacks an adequate medical history.
- The child is malnourished.
- The child shows signs of physical and/or sexual abuse, including physical restraint, confinement, or injuries from actual torture.
- The child has infections from unsanitary tattooing.
- The child has dental injuries; broken/missing teeth, gum disease.
- The child has bed bug bites.
- The child has infections or mutilations but nominal medical treatment.
- The child has contracted sexually transmitted diseases.
- The child has reproductive problems caused by unsafe abortions.
- The child has physical injuries related to sexual activity, such as pelvic pain and urinary tract infections.
- The child has substance abuse problems.

Financial/Employment Coercion

- The child has to work but does not indicate where they work.
- The child has little or no access to earnings and no bank account.
- The child has an unusually large amount of money on them.
- The child is indebted to adults.
- The child reports working in a strip club, night club, or massage parlor.
- The child works excessively long or unusual hours.
- The child is not allowed breaks and is unusually restricted at work.
- The child was recruited through false promises concerning the nature and conditions of their work.

Psychological Indicators

- The child may not always self-identify as a child or minor. Traffickers coach their victims to state they are eighteen years of age or older.
- The child tells inconsistent stories or stories lacking significant details.
- The child gives deceptive responses to questions.
- The child avoids eye contact with responders.

- The child has symptoms of post-traumatic stress, including anxiety, depression, addictions, panic attacks, phobias, paranoia or hyper-vigilance, or apathy.
- The child has developmental delays, enuresis, or fecal incontinence.
- The child experiences culture shock when in strange communities.
- The child is not allowed or able to speak for themselves, especially when a third party insists on being present or translating.

Environmental Indicators

- Large amounts of cash and condoms are present where child is found.
- The child's environment contains sparsely furnished rooms.
- The child's environment contains sex advertisements.
- The child's environment contains multiple televisions and pornography.
- The child's environment contains timers; used to time sexual services.
- The child's environment contains tinted windows, buzz-in entrances, video cameras, barred or locked windows/doors, security, etc.

Reporting

In the event it is determined that the foster care alumni participant is a suspected victim or has been sexually exploited; Chafee IL Coordinators will:

1. Report the incident to law enforcement, and
2. Assist the youth with coordinating appropriate services (medical screening, safety planning, therapies, etc.).

Determining Services

There is a high level of need for comprehensive and intensive therapeutic services for victims of human trafficking. Chafee IL Coordinators will collaborate with the youth and any other identified service providers to develop an individualized plan to meet these needs.

It is recommended that trafficking victims receive trauma focused therapy at the earliest possible time following identification as a victim of trafficking. A list of trauma-trained therapists throughout ND may be found at: <https://www.tcty-nd.org/index.php/users/>

Below are some needs to consider when assessing the needs of individual victims:

Concrete needs

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Food (culturally appropriate)	Clothing	Safety/ Protection/ Safety plan
Safe Placement Emergency Housing	Crisis Intervention	Mental healthcare/ trauma informed care
Medical/ Dental /Eye care	Substance Abuse Evaluation/Treatment	Counseling and/or Case Management
Education/life skills training/ ESL	Health education	Transportation
Legal representation - Criminal/Civil/Immigration	Interpreter/Translator	Court Advocacy/ Victim Assistance
Psychiatric Care	Assistance with Benefits	Crime Victim Compensation
Job/income/Viable employment alternatives	Tattoo Removal/Cover Up	Childcare and/or parenting skills

Supportive needs

Respect	Mentoring	Acceptance
Nonjudgmental environment	Healthy relationships	Affirmation of skills and strengths
Recognition of abuse and trauma	Understanding of the recovery process	Engagement in positive community
Education to understand the issue(s) of trafficking/exploitation	Opportunities to develop new skills and strengths	Opportunity to be defined by more than abuse/trauma
Supportive peers	Mentors /role models	Leadership opportunities
Holistic care	Advocacy/Know your rights	A sense of empowerment in one's own healing and restoration process

Documenting

Human trafficking cases must be documented in FRAME according to policies and procedures. This includes completion and updates to the case activity log, etc. ***Additional FRAME fields have not been created to date.

National Youth in Transition Database (NYTD) 624-10-110

(Revised 2/24/17 ML #3494)

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The National Youth in Transition Database (NYTD), required by the Chafee Foster Care Independence Act of 1999, will track the services and outcomes of youth transitioning from foster care. NYTD requires state child welfare agencies to collect and report data in two specific areas:

1. **Independent Living Services** – document all independent living services provided to youth by public agency custodians, and Chafee IL. Independent living service categories include but are not limited to mentoring, academic support, career preparation, and health education. All independent living service categories can be found in FRAME.
2. **NYTD Survey** - administer and collect survey data via a three part survey of eligible youth in foster care at age 17, then survey those youth again at ages 19 and 21.

Every three years (FFY 2011, 2014, 2017....) North Dakota will be surveying a new group of 17 year old foster care youth including adjudicated delinquent youth under the custody of DJS and Title IV-E Tribal foster care youth. NDDHS Children and Family Services will identify eligible youth from FRAME and will communicate with case managers for assistance in administering the NYTD Survey as needed.

The **voluntary nature** of the NYTD survey is important for case managers and youth to understand. Youth in foster care are not required to complete the NYTD survey, rather the state of North Dakota is required to ask the youth if he/she would like to participate. At age 17, if the youth declines to participate, there is no penalty to the youth or to state funding. However, **North Dakota will be subject to fiscal penalty if a youth takes the first NYTD survey at age 17 and then chooses to not participate or cannot be located at age 19 and 21.** It is important that youth

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understand; if they choose to take the NYTD Survey at age 17 they are willing to be part of the ND NYTD Survey Group and will remain in contact with CFS until they reach age 21 and complete the three NYTD survey parts.

NDDHS Children and Family Services created and updated the NYTD Handbook to better assist professionals with procedures, data entry requirements, and an understanding of roles and tasks.

Click [here](#) to view the NYTD Handbook.